IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5608 OF 2005
IN
CRIMINAL APPEAL NO. 432 OF 2002

Shri P.G. Nair .. Applicant
v/s.
State of Maharashtra and another .. Respondents

Mr. J.S. Kini for the applicant.
Mr. A.S. Shitole, APP for the State.

CORAM : B.H. MARLAPALLE, J.
DATED : 8TH AUGUST, 2007

P.C.

Heard Mr. J.S. Kini, the learned counsel for the applicant. Mr. Kini states that the applicant is a senior citizen (72 years of age) and he is presently undergoing sentence. However, criminal appeal No.432 of 2002 which he prays for being listed for early hearing is an appeal against the order of acquittal and therefore, in view of pendency of the appeal against the order of conviction, at present, the applicant's prayer for listing the said appeal for final hearing cannot be acceded to. The application is, therefore, rejected. The applicant is at liberty to move such a motion after one year.

(B.H. MARLAPALLE, J.)